

### **Reasons for Allowance**

The following is an examiner's statement of reasons for allowance: Regarding independent Claims 1, 11, 12, 22 and 23, the Prior Art of record fails to anticipate or to make obvious an image processing device, an image output device, a method of processing an image, a method of outputting an image and a computer readable storage medium for processing an image using image data generated by an image generating device, and image generation record information that is associated with the image data and that includes operation information of the image generating device at the time that the image data is generated, the image processing device comprising a judging section configured to execute a backlight decision as to whether or not to execute backlight adjustment processing, based on both the image generation record information and the image data, wherein when the image generation record information includes subject position information indicating a position of a subject in the image, the judging section uses the subject position information in executing the backlight decision; and an image quality adjuster that, when it is decided to execute the backlight adjustment processing, executes backlight adjustment processing to increase brightness value of at least some pixels in the image data,

wherein the judging section analyzes the image data with a weight distribution that has different magnitudes at the subject position and other positions to calculate a first average brightness value in a partial area including the subject position, calculates a second average brightness value for the entire image, and executes the backlight decision according to the first average brightness value and the second average brightness value.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc-Yen T. Vu whose telephone number is (571)272-7320. The examiner can normally be reached on Mon. - Fri. from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on 571-272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*/Ngoc-Yen T. VU/*

*Primary Examiner, Art Unit 2622*

*04/11/2010*